

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 04-16434
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT MARCH 20, 2006 THOMAS K. KAHN CLERK

D. C. Docket No. 02-00002-CV-5-LAC-EMT

SPENCER L. SPEIGHTS,

Petitioner-Appellant,

versus

JAMES CROSBY,
CHARLES CRIST,

Respondents-Appellees.

Appeal from the United States District Court
for the Northern District of Florida

(March 20, 2006)

Before DUBINA, BLACK and BARKETT, Circuit Judges.

PER CURIAM:

Appellant Spencer L. Speights (“Speights”), a Florida prisoner serving an enhanced life sentence for robbery with a firearm, appeals *pro se* the district court’s denial of his motion for entry of judgment as to a motion for summary judgment he had filed as part of his petition for writ of habeas corpus brought under 28 U.S.C. § 2254. Because the record demonstrates that the district court entered final judgment as to Speights’s habeas petition, we conclude that the district court properly denied Speights’s motion for entry of judgment as unnecessary since the claims as addressed were rendered moot by the earlier final judgment on the habeas petition. Accordingly, we affirm the district court’s order denying Speights’s *pro se* motion for entry of judgment as to a motion for summary judgment that he had filed as part of his petition for writ of habeas corpus brought under 28 U.S.C. § 2254.

AFFIRMED.